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Two Legal Representation Bills Will Be Considered During Wyoming's Legislative Session

🕒 November 3, 2019 👤 Kim Phagan-Hansel



On Friday, the Wyoming Judiciary Committee voted in



favor of a state-level office tasked with providing legal representation to parents involved in child welfare proceedings.



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There is momentum growing around the country to connect parents with counsel, fueled in part by a new offer of federal funds for that effort and recent research on the positive impact of quality representation.

In Wyoming, a new Office of Parent Counsel is expected to cost \$5.4 million per biennium, with 75 percent of the funding provided by the state and 25 percent by counties.

Advocates for the concept estimate that the program could receive around \$625,000 in Title IV-E funds, the federal entitlement program for child welfare services.

Current Guardian ad Litem (GAL) Division Deputy Dan Wilde said the creation of an Office of Parent Counsel would have a huge impact on child welfare in the state. Having represented children involved in child welfare proceedings for almost 20 years, he's seen firsthand the challenges parents face in court without representation.

"The essence of equality in Wyoming is the concern for us," said Wilde in an interview with *The Chronicle of Social Change* last summer. "It's concerning that a family in one county wouldn't receive the same quality and timely access to counsel as they would in another county."

While the money to operate the program would be an increase to the state's budget, Wilde said the program could also potential save the state money by shorting the length of time children are in foster care.

"There will be huge significant cost savings," Wilde said. "The system as a whole will operate better."

Supreme Court Justice Kate Fox, who also serves as the chair of the Children's Justice Project and District Court Judge Richard Lavery in Sweetwater County testified in favor of the proposal during Friday's meeting.

A similar proposal that would move the current Wyoming Guardian Ad Litem (GAL) office out of the Office of State Public Defenders into a standalone Office of Children's Representation passed through committee earlier this year. The GAL program has been in existence since 2005 and has been housed in the Office of Public Defenders.

As such, the \$5.4 million operation has represented children across the state in child welfare and juvenile justice proceedings. A

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standalone office would eliminate the potential conflict of interest between the Office of Public Defenders and those representing children.

Both bills are awaiting assignment for the legislative session that begins in February.

The U.S. Children's Bureau altered the rules for Title IV-E funds last year, allowing states to seek matching funds to pay for legal fees of children and parents in dependency court.

A study released this year on New York City's interdisciplinary law office model of representing parents found that it dramatically shortened the length of time children spent in foster care before being reunified with family. The study backs up similar findings from a 2011 study on Washington state's approach to representing parents.



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